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providing a dedicated spending vehicle to said taxpayer in an amount related to the tax refund amount assigned to said third party, said spending vehicle for use at a participating outlet.

REMARKS

Claims 1-15 and 17-20 are pending in the application. The Examiner has rejected claims 1-15 and 17-20. Applicant has amended claims 1 and 11 to more clearly define the present invention. Reconsideration of the above-identified application is respectfully solicited on behalf of the Applicant.

Object to the Specification

The Examiner has objected to the abstract of the disclosure because it is too short in length. Applicant first submitted a new abstract in Applicant's response to the Office Action mailed April 11, 2001. In the Office Action mailed October 4, 2001, the Applicant was informed that the amended abstract must be submitted on a separate sheet. In response to the Office Action mailed October 4, 2001, Applicant submitted the amended abstract on a separate sheet. Applicant is submitting with this response the amended abstract on a separate sheet. Applicant respectfully submits the amended abstract as it appears on page 8 of Applicant's response overcomes the Examiner's objection.

Claim Rejections under 35 U.S.C. § 103(a)

The Examiner has rejected claims 1-15 and 17-20 under 35 U.S.C. § 103(a) as being unpatentable over Longfield in view of Hagemier. It is the Examiner's position that it would be obvious to combine the tax refund system of Longfield with

the credit card of Hagemier to obtain the present invention. The Examiner has further stated that Hagemier discloses combining a credit card with a tax crediting vehicle so that the credit obtained from the taxing system may be used toward purchases of products using the credit card.

Applicant has amended claims 1 and 11 to indicate that the present invention is dedicated spending vehicles that are offered by spending vehicle providers to get taxpayers to spend their income tax return money at participating outlets. A taxpayer uses the spending vehicle he or she receives at any one of the participating outlets. The taxpayer's options for using the spending vehicle are limited so participating businesses, as well as taxpayers, benefit from the use of spending vehicles. In view of Applicant's amended claims, Applicant respectfully traverses the rejections.

In Applicant's previous response, the word "dedicated" was added to the claims. The Examiner interpreted "dedicated" to mean that each loan is dedicated by name to the loanee. Applicant has amended claims 1 and 11 to indicate that spending vehicles are "dedicated" to participating outlets such that taxpayers use them at the participating outlets. Dedicated spending vehicles, therefore, are dedicated to participating outlets, not taxpayers. With Applicant's invention of dedicated spending vehicles, a business has an incentive to participate because there is a greater likelihood that a taxpayer will use his or her spending vehicle at the business. Applicant respectfully submits that the prior art teaches only refund anticipation loans or value-added tax credit cards such that the taxpayer may use the money at any business rather than a participating outlet. Applicant respectfully submits, therefore, that claims 1 and 11 patentably define the present invention.

In light of the above remarks, it is respectfully submitted that the present application is now in condition for allowance and such action is earnestly requested.

Respectfully submitted,

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE SPECIFICATION:

A tax refund system is disclosed in which in exchange for a taxpayer assigning all or a portion of his or her tax refund ~~due~~, a participating provider ~~will provide~~ provides to a taxpayer a spending vehicle ~~to the taxpayer which has~~ with buying power at participating outlets. Tax return data for an individual's tax return is processed by the IRS. A taxpayer consents to using a portion of the tax return data to acquire a spending vehicle from a financial institution of the taxpayer's choosing. Using a portion of the tax return data, the IRS arranges to electronically transfer an amount related to the taxpayer's refund to an account at the financial institution selected by the taxpayer. A taxpayer then receives a spending vehicle such as a credit, debit, or cash card, spending account, coupon, discount, or rebate from a financial institution or other spending vehicle provider such as a retailer, service provider, wholesaler, distributor, or entertainment entity.

IN THE CLAIMS:

The claims have been amended as follows:

1. (Four Times Amended) ~~A tax refund~~ An income tax refund system, comprising:

electronic tax return data for a taxpayer, said electronic tax return data comprising ~~a tax refund~~ an income tax refund amount;

an assignment of at least a portion of ~~said tax refund~~ said income tax refund amount to a spending vehicle provider;

an account for accepting an electronic transfer of said at least a portion of ~~said tax refund~~ said income tax refund amount, said account established in accordance with said assignment; and

a dedicated spending vehicle issued by said spending vehicle provider in an amount related to said at least a portion of ~~said tax refund~~ said income tax refund amount, said spending vehicle for use at a participating outlet.

11. (Four Times Amended) A method of providing ~~a tax refund~~ an income tax refund amount to a taxpayer, comprising:

obtaining electronic tax return data, said electronic tax return data comprising ~~a tax refund~~ an income tax refund amount;

assigning at least a portion of ~~said tax refund~~ said income tax refund amount to a third party selected by said taxpayer;

transferring said at least a portion of ~~said tax refund~~ said income tax refund amount to an account for said third party; and

providing a dedicated spending vehicle to said taxpayer in an amount related to the tax refund amount assigned to said third party, said spending vehicle for use at a participating outlet.

ABSTRACT

13 A tax refund system is disclosed in which in exchange for a taxpayer assigning all or a portion of his or her tax refund, a participating provider provides to a taxpayer a spending vehicle with buying power at participating outlets. Tax return data for an individual's tax return is processed by the IRS. A taxpayer consents to using a portion of the tax return data to acquire a spending vehicle from a financial institution of the taxpayer's choosing. Using a portion of the tax return data, the IRS arranges to electronically transfer an amount related to the taxpayer's refund to an account at the financial institution selected by the taxpayer. A taxpayer then receives a spending vehicle such as a credit, debit, or cash card, spending account, coupon, discount, or rebate from a financial institution or other spending vehicle provider such as a retailer, service provider, wholesaler, distributor, or entertainment entity.
